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June 12, 2008

Via Facsimile 914-390-4085

Hon. Charles L. Brieant, U.S.D.J.
United States District Court
Southern District of New York
300 Quarropas Street, Room 275
White Plains, NY 10601

RE: KG Cornwall, LLC v. Beazer Homes Corp.
Case No. 07 Civ. 2881

Dear Judge Brieant:

In furtherance of the most recent conference before this Honorable Court concerning the pending motion, originally returnable on June 13, 2008, please further note that the parties have endeavored to continue settlement discussions and request that the Court hold said motion, which has been previously marked fully submitted, until June 16, 2008 in order for the settlement process to continue.

Please further note that this application is being made on consent of defendant's counsel and the undersigned will advise the Court before the adjourn date as to whether the matter has been settled or whether it will be necessary for the Court to rule on said motion.

Thank you for your kind attention in this matter.

Very truly yours,

Kevin T. Conway
Kevin T. Conway (KG3347)

KTC/pc

cc: Luisa Hagemeyer (Via Fax 212-326-0877)

MEMO ENDORSED

*Application granted
Motion was received fully
submitted on June 20, 2008.*

S. Brieant
6/12/08 *USDC*

June 20, 2008